IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

FRIDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

And

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT APPEAL NO : 1092 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 15/03/2005 in WP NO : 21755 OF 2004 on the file of the High Court.)

Between:

The A.P. Co-operative Bank Limited, P.B.No.142,

Troop Bazar, Hyderabad, Rep. by its Managing Director.

..... APPELLANT

AND

M.Kanaka Durga W/o.M.Venkat Rao, R/o.19-A/MIG, P.S.Nagar Colony Near Vijaynagar Nursing Home, Masabtank, Hyderabad.

.....RESPONDENT

Counsel for the Appellant: MR.D.S.N.V.PRASADA BABU

Counsel for the Respondent : MR.V.SRINIVAS

The Court made the following :

JUDGMENT : (Per Hon'ble Sri Bilal Nazki, ACJ)

Heard learned Counsel for the appellant.

The writ petitioner was terminated from service on 12.4.2004 on the ground that she had been convicted for the offence under Section 138 of Negotiable Instruments Act on 17.11.2003. The learned Judge found that because of the termination, in terms of Section 4(6) of Payment of Gratuity Act, 1972, the writ petitioner would not lose her right to receive the gratuity amount. We do not find any ground to interfere with such a finding.

For these reasons, the appeal is dismissed.

BILAL NAZKI, ACJ

17th June 2005.

G.CHANDRAIAH, J

ajr

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 M.Kanaka Durga W/o.M.Venkat Rao, R/o.19-A/MIG, P.S.Nagar Colony Near Vijaynagar Nursing Home, Masabtank, Hyderabad.

2 The Managing Director, A.P. Co-operative Bank Limited,

P.B.No.142, Troop Bazar, Hyderabad.

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